

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMES E. BURTON,

Defendant.

MEMORANDUM DECISION AND
ORDER GRANTING DEFENDANT'S
PRO SE MOTION FOR EARLY
TERMINATION OF SUPERVISED
RELEASE

Case No. 2:07-CR-65 TS

This matter is before the Court on Defendant's *Pro Se* Motion for Early Termination of Supervised Release. Having considered the file, the circumstances presented by this case, and being otherwise fully informed, the Court will grant Defendant's Motion, as set forth below.

BACKGROUND

On July 26, 2007, Defendant pleaded guilty to counts 4 and 5 of the Indictment. Defendant was sentenced on October 4, 2007, to a 24-month term of supervised release. Defendant has served over one year of his supervised release term and now seeks to terminate his supervised release. The government has responded that it has no objection to Defendant's request.

DISCUSSION

18 U.S.C. § 3583(e) permits the Court to terminate supervised release at any time after a defendant has completed at least one year of supervised release, but prior to completion of the entire term, if the Court is satisfied that such action is 1) warranted by the conduct of an offender and 2) is in the interest of justice. In making this determination, the Court is directed to consider the factors set forth in 18 U.S.C. § 3553(a), to the extent they are applicable.

Having considered these factors, the Court finds that early termination of Defendant's term of supervised release is both warranted by the conduct of the offender and in the interest of justice.

CONCLUSION

Based upon the above, it is hereby

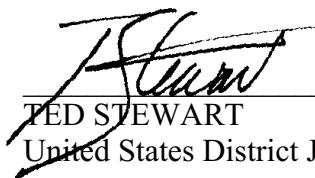
ORDERED that Defendant's *Pro Se* Motion for Early Termination of Supervised Release (Docket No. 41) is GRANTED. It is further

ORDERED that Defendant's term of supervised release shall be terminated effective immediately and this case shall be closed.

SO ORDERED.

DATED this 30th day of October, 2008.

BY THE COURT:



TED STEWART
United States District Judge